

Meeting Minutes
Meeting of May 8, 2008

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, May 8, 2008, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 2:02 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Barbara Currier Bell
Gerald J. Heffernan
(designee for Commissioner Downes)
Brian Golembiewski
(designee for Commissioner McCarthy)

Colin C. Tait
Vice Chairman
Daniel P. Lynch, Jr.
James J. Murphy, Jr.
Ed Wilensky
Philip T. Ashton
Frederick Riese
(designee for Commissioner McCarthy)

Staff Members Present:

Robert L. Marconi
Assistant Attorney General
S. Derek Phelps
Executive Director
Fred O. Cunliffe
Supervising Siting Analyst
Christina Lepage
Siting Analyst

Robert D. Mercier
Siting Analyst
David Martin
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of April 24, 2008.

Mr. Ashton moved to approve the minutes of April 24, 2008, seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 225 – Kleen Energy Systems, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a Electric Generating Facility and Switchyard on River Road, Middletown, Connecticut. Development and Management Plan – Revision 5.

Mr. Murphy moved to table this item, seconded by Mr. Wilensky. The motion passed unanimously.

DOCKET NO. 337 - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off North Street (Route 63), Goshen, Connecticut. Development and Management Plan.

Mr. Murphy moved to approve the Development & Management Plan, seconded by Mr. Heffernan. The motion passed unanimously.

DOCKET NO. 342 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 425 Litchfield Road, New Milford, Connecticut. Draft Findings of Fact.

-AND-

DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut. Draft Findings of Fact.

Mr. Lynch moved to approve a 30 day extension of time on Docket No. 342, seconded by Mr. Heffernan. The motion passed unanimously.

After reviewing the draft Findings of Fact in both Docket Nos. 342 and 355, Chairman Caruso polled the Council members with Chairman Caruso, Mr. Ashton, Dr. Bell, Mr. Golembiewski, Mr. Tait, Mr. Wilensky, and Mr. Lynch in favor of granting a Certificate for the proposed facility in Docket No. 342 located on 425 Litchfield Road, New Milford; and denying (without prejudice) the proposed facility in Docket No. 355 located on 359 Litchfield Road, New Milford.

Mr. Heffernan and Mr. Murphy in favor of granting a Certificate for the proposed facility in Docket No. 355 located on 359 Litchfield Road, New Milford; and denying without prejudice the proposed facility in Docket No. 342 located on 425 Litchfield Road, New Milford.

In Docket No. 342, Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

In Docket No. 355, Chairman Caruso directed staff to draft an Opinion and Decision and Order denying the application (without prejudice) to be reviewed at the next meeting.

DOCKET NO. 347 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 700 Kent Road, New Milford, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Chairman Caruso, Mr. Ashton, Mr. Wilensky, Mr. Tait and Mr. Lynch in favor of denying the application (without prejudice); Mr. Heffernan, Dr. Bell, and Mr. Murphy in favor of granting a Certificate for the proposed facility; and Mr. Golembiewski abstaining.

Chairman Caruso directed staff to draft an Opinion and Decision and Order denying the application (without prejudice) to be reviewed at the next meeting.

DOCKET NO. 349 – Global Signal Acquisitions II application for a Certificate of Environmental Compatibility and Public Need for the re-location, construction, maintenance and operation of a telecommunications facility located at 1919 Boston Post Road, Guilford, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Heffernan, Mr. Wilensky, Dr. Bell, Mr. Tait, Mr. Golembiewski and Mr. Murphy in favor of granting a Certificate for a telecommunications facility located at the alternate site (c); and Mr. Lynch and Mr. Ashton abstaining.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

DOCKET NO. 351 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut. Findings of Fact, Opinion, Decision and Order.

Dr. Bell moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended; seconded by Mr. Tait. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Tait, Mr. Heffernan, Mr. Golembiewski, Mr. Lynch and Chairman Caruso in favor of granting a Certificate for the proposed facility; and Mr. Ashton abstaining.

DOCKET NO. 354 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut. Findings of Fact, Opinion, Decision and Order.

Mr. Ashton moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended; seconded by Mr. Murphy. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Tait, Mr. Heffernan, Mr. Golembiewski, Mr. Lynch, Mr. Ashton and Chairman Caruso in favor of granting a Certificate for the proposed facility.

DOCKET NO. 357 – Wireless Edge Fairfield Group LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at Peck Road, Danbury, Connecticut. Request for Party/Intervenor Status.

Mr. Murphy moved to approve party status for J. Gerard O’Callaghan, seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 359 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 58 Montano Road or 618 Neipsic Road, Glastonbury, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Wilensky moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Carriann Mulcahy as custodian of the docket, the deposition of the transcript in the Town of Glastonbury, and a public field review and hearing in Glastonbury on Thursday, June 19, 2008; seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 836 – Waterside Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a permanent peaking facility located at 17 Amelia Place, Stamford, Connecticut. Decision.

Mr. Wilensky moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended, seconded by Dr. Bell. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Tait, Mr. Heffernan, Mr. Wilensky, Mr. Ashton, Mr. Riese and Chairman Caruso in favor of approving the petition.

PETITION NO. 841 – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut. Draft Findings of Fact.

Mr. Tait move to table this item, seconded by Mr. Lynch. The motion passed unanimously.

PETITION NO. 855 – The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing substation in the Town of Litchfield and City of Torrington, Connecticut. Decision.

Mr. Wilensky moved to approve this petition, seconded by Mr. Heffernan. The motion passed unanimously.

PETITION NO. 856 – Dominion Nuclear Connecticut, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the replacement of the Unit 3 Generator Step-Up Transformer located at Millstone Power Station, Waterford, Connecticut. Decision.

Mr. Murphy moved to approve this petition, seconded by Mr. Lynch. The motion passed unanimously.

TS-T-MOBILE-088-080416 – Omnipoint Communications, Inc. a/k/a T-Mobile request for an order to approve tower sharing at an existing telecommunications facility located at 103 East Side Boulevard, Naugatuck, Connecticut.

Mr. Murphy moved to approve the order for tower sharing with the following conditions:

- The tower is modified per the attached drawings of the structural analysis report dated March 28, 2008 and sealed by Robert E. Adair, P.E., prior to the antenna installation
- The foundation and guy anchors are evaluated for adequacy and reinforced if necessary prior to the antenna installation.
- A signed letter from a Professional Engineer is submitted to the Council to certify that that the modifications have been properly completed.

The motion was seconded by Mr. Heffernan. The motion passed unanimously.

TS-CING-002-080424 – New Cingular Wireless PCS, LLC request for an order to approve tower sharing at an approved telecommunications facility located at 1 Deerfield Lane, Ansonia, Connecticut.

Mr. Murphy moved to approve the order for tower sharing with the condition that the antennas are attached to the tower via T-arm mounts, seconded by Dr. Bell. The motion passed unanimously.

Administrative Matters

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Thursday, May 22, 2008, at 2:00 p.m., in Hearing Room Two. Other calendar dates were also discussed.

Mr. Marconi updated the Council on current litigation proceedings.

Mr. Lynch encouraged the Council to wish Mr. Phelps a Happy Birthday.

Adjournment.

Chairman Caruso adjourned the meeting at 4:30 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm